

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JIMMY KINSLOW,

Plaintiff,

v.

CV 05-1324 JH/WPL

JOE WILLIAMS, ET AL.,


Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION**

This matter is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (PFRD), filed on April 4, 2007. (Doc. 116.) The parties were notified that objections were due within ten days of service of the PFRD and that if no objections were filed, no appellate review would be allowed. To this date, no objections have been filed.

IT IS THEREFORE ORDERED that:

- 1) the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 116) are adopted as an order of the Court;
- 2) the IDOC Defendants' motion to vacate (Doc. 66) is denied to the extent that it has been construed as a motion to dismiss for lack of jurisdiction; and
- 3) Ghosh's motion for summary judgment (Doc. 80) is granted as to Kinslow's third count and denied as to the other counts.


JUDITH C. HERRERA
UNITED STATES DISTRICT JUDGE